

## Declaration and Power of Attorney For Patent Application

特許出願宣言書及び委任状

### Japanese Language Declaration

#### 日本語宣言書

下の氏名の発明者として、私は以下の通り宣言します。

As a below named inventor, I hereby declare that:

私の住所、私書箱、国籍は下記の私の氏名の後に記載された通りです。

My residence, post office address and citizenship are as stated next to my name.

下記の名称の発明に関して請求範囲に記載され、特許出願している発明内容について、私が最初かつ唯一の発明者（下記の氏名が一つの場合）もしくは最初かつ共同発明者であると（下記の名称が複数の場合）信じています。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

BIS-B-HYDROXYETHYL TEREPHTHALATE PRODUCTION

PROCESS AND PURIFICATION PROCESS

上記発明の明細書（下記の欄でx印がついていない場合は、本書に添付）は、

the specification of which is attached hereto unless the following box is checked:

一月一日に提出され、米国出願番号または特許協定条約国際出願番号を \_\_\_\_\_ とし、  
(該当する場合) \_\_\_\_\_ に訂正されました。

was filed on December 24, 1999  
as United States Application Number or  
PCT International Application Number  
PCT/JP99/07284 and was amended on  
\_\_\_\_\_ (if applicable).

私は、特許請求範囲を含む上記訂正後の明細書を検討し、内容を理解していることをここに表明します。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、連邦規則法典第37編第1条56項に定義されるおり、特許資格の有無について重要な情報を開示する義務があることを認めます。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## Japan's Language Declaration (日本語宣言書)

私は、米国法典第35編119条(a)-(d)項又は365条(b)項に基き下記の、米国以外の国の少なくとも一ヵ国を指定している特許協力条約365(a)項に基く国際出願、又は外国での特許出願もしくは発明者証の出願についての外国は優先権をここに主張するとともに、優先権を主張している、本出願の前に出願された特許または発明者証の外国出願を以下に、枠内をマークすることで、示しています。

### Prior Foreign Application(s)

外国での先行出願

No. 11-220804 (Number) (番号)	Japan (Country) (国名)
No. 11-222663 (Number) (番号)	Japan (Country) (国名)

Further Priority claims are in Attachment sheet.

私は、第35編米国法典119条(e)項に基いて下記の米国特許出願規定に記載された権利をここに主張いたします。

(Application No.) (出願番号)	(Filing Date) (出願日)
-----------------------------	------------------------

私は、下記の米国法典第35編120条に基いて下記の米国特許出願に記載された権利、又は米国を指定している特許協力条約365条(c)に基づく権利をここに主張します。また、本出願の各請求範囲の内容が米国法典第35編112条第1項又は特許協力条約で規定された方法で先行する米国特許出願に開示されていない限り、その先行米国出願書提出日以降で本出願書の日本国内または特許協力条約国提出日までの期間中に入手された、連邦規則法典第37編1条56項で定義された特許資格の有無に関する重要な情報について開示義務があることを認識しています。

(Application No.) (出願番号)	(Filing Date) (出願日)
(Application No.) (出願番号)	(Filing Date) (出願日)

私は、私自身の知識に基づいて本宣言書中で私が行なう表明が真実であり、かつ私の入手した情報と私の信じるところに基づく表明が全て真実であると信じていること。さらに故意になされた虚偽の表明及びそれと同様の行為は米国法典第18編第1001条に基づき、罰金または拘禁、もしくはその両方により処罰されること、そしてそのような故意による虚偽の声明を行なえば、出願した、又は既に許可された特許の有効性が失われることを認識し、よってここに上記のごとく宣誓を致します。

I hereby claim foreign priority under Title 35, United States Code, Section 119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Priority Not Claimed  
優先権主張なし

04/08/1999 (Day/Month/Year Filed) (出願年月日)	<input type="checkbox"/>
05/08/1999 (Day/Month/Year Filed) (出願年月日)	<input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

(Application No.) (出願番号)	(Filing Date) (出願日)
-----------------------------	------------------------

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of application.

(Status: Patented, Pending, Abandoned) (現況: 特許許可済、保属中、放棄済)
(Status: Patented, Pending, Abandoned) (現況: 特許許可済、保属中、放棄済)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

### Japanese Language Declaration (日本語宣言書)

委任状： 私は下記の発明者として、本出願に関する一切の手続きを米特許商標局に対して遂行する弁理士または代理人として、下記の者を指名いたします。（弁護士、または代理人の氏名及び登録番号を明記のこと）

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (*list name and registration number*)

Michael N. Meller, Reg. No. 20,779  
Eugene Lieberstein, Reg. No. 24,645

## 書類送付先

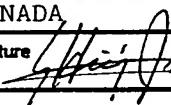
## Send Correspondence to:

Anderson Kill & Olick  
1251 Avenue of the Americas  
New York, NY 10020-1182

## 直接電話連絡先：（名前及び電話番号）

Direct Telephone Calls to: (*name and telephone number*)

Michael N. Meller, Esq.  
1-212-278-1000

唯一または第一発明者名		Full name of sole or first inventor	
		Shuji INADA	
発明者の署名	日付	Inventor's signature	Date
		 July 7, 2000	
住所	Residence		
Suita-shi, OSAKA, JAPAN			
国籍	Citizenship		
Japan			
私書箱	Post Office Address		
6-6, Fujishirodai 4-chome, Suita-shi, OSAKA 565-0873 JAPAN			
第二共同発明者		Full name of second joint inventor, if any	
		Kikuchi SATO	
第二共同発明者	日付	Second inventor's signature	Date
		 July 7, 2000	
住所	Residence		
Fukuyama-shi, HIROSHIMA, JAPAN			
国籍	Citizenship		
Japan			
私書箱	Post Office Address		
68, Nakano 3-chome, Kamo-cho, Fukuyama-shi, HIROSHIMA 720-2411 JAPAN			

（第三以降の共同発明者についても同様に記載し、署名をすること）

(Supply similar information and signature for third and subsequent joint inventors.)

*Copy*

**ASSIGNMENT**  
**UNITED STATES OF AMERICA**

Whereas, I/We (1) Shuji INADA and Kikuchi SATO

of (2) Suita-shi, Osaka, Japan, Fukuyama-shi, Hiroshima, Japan,  
respectively,

have invented certain new and useful improvements in (3) BIS-B-HYDROXYETHYL  
TEREPHTHALATE PRODUCTION PROCESS AND PURIFICATION PROCESS

for which application for Letters Patent in the United States of America (4) a) is about to be made  
or b) has been made;

And Whereas, (5) AIES CO., LTD.

of (6) 3-14, Nishimiyahara 3-chome, Yodogawa-ku, Osaka-shi, OSAKA 532-0004 JAPAN is/are desirous  
of acquiring an interest therein and in the Letters Patent to be obtained therefor;

Now Therefore, be it known by all whom it may concern, that for good and valuable  
consideration (the sufficiency of which is hereby acknowledged) I/we have assigned, transferred  
and set over, and by these presents do assign, transfer and set over unto the said

(5) AIES CO., LTD.

territory of the United States of America, and not elsewhere; the full and exclusive right, title, and  
Interest in and to the said Invention, as fully set forth and described in the specification

(7) prepared and executed by me/us on (8) July 7, 2000

or filed in the U.S. Patent Office under Ser. No. (9) \_\_\_\_\_ on (10) \_\_\_\_\_

preparatory to obtaining Letters Patent therefor; said invention, application and Letters Patent to  
be held and enjoyed by the said (5) AIES CO., LTD.

to the full end of the term for

which said Letters Patent are granted, as fully and entirely as the same would have been held by me/us had this assignment and transfer not been made.

In testimony whereof, I/we have hereunto set my/our hand this  
(11) 7th day of July XX 2000.

WITNESSES:

C. Ladd Paboda  
\_\_\_\_\_  
\_\_\_\_\_

INVENTOR(S):

(1) S. H. J. Ose  
(2) K. Saito  
(3) \_\_\_\_\_  
(4) \_\_\_\_\_  
(5) \_\_\_\_\_  
(6) \_\_\_\_\_

Copy

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) AND 1.27 (c)) - SMALL BUSINESS CONCERN				Docket No. 4295
Serial No.	Filing Date	Patent No.	Issue Date	
Applicant/ INADA et al Patentee:				
Invention: BIS- $\beta$ -HYDROXYETHYL TEREPHTHALATE PRODUCTION PROCESS AND PURIFICATION PROCESS				
I hereby declare that I am: <input type="checkbox"/> the owner of the small business concern identified below; <input type="checkbox"/> an official of the small business concern empowered to act on behalf of the concern identified below;				
NAME OF CONCERN: AIES CO., LTD. ADDRESS OF CONCERN: 3-14, Nishimiyahara 3-chome, Yodogawa-ku, Osaka-shi, Osaka 532-0004, Japan				
I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.				
I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the above identified invention described in: <input checked="" type="checkbox"/> the specification filed herewith with title as listed above. <input type="checkbox"/> the application identified above. <input type="checkbox"/> the patent identified above.				
If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).				

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

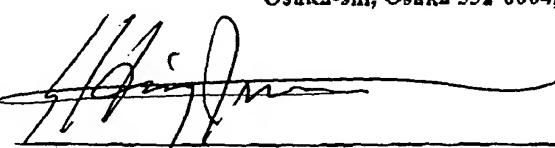
- no such person, concern or organization exists.
- each such person, concern or organization is listed below.

FULL NAME	<hr/>		
ADDRESS	<hr/>		
	<input type="checkbox"/> Individual	<input type="checkbox"/> Small Business Concern	<input type="checkbox"/> Nonprofit Organization
FULL NAME	<hr/>		
ADDRESS	<hr/>		
	<input type="checkbox"/> Individual	<input type="checkbox"/> Small Business Concern	<input type="checkbox"/> Nonprofit Organization
FULL NAME	<hr/>		
ADDRESS	<hr/>		
	<input type="checkbox"/> Individual	<input type="checkbox"/> Small Business Concern	<input type="checkbox"/> Nonprofit Organization
FULL NAME	<hr/>		
ADDRESS	<hr/>		
	<input type="checkbox"/> Individual	<input type="checkbox"/> Small Business Concern	<input type="checkbox"/> Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING:	<u>Shuji INADA</u>
TITLE OF PERSON SIGNING	a President of the Company
OTHER THAN OWNER:	<hr/>
ADDRESS OF PERSON SIGNING:	AIES CO., LTD. 3-14, Nishimiyahara 3-chome, Yodogawa-ku, Osaka-shi, Osaka 532-0004, Japan
SIGNATURE:	
	DATE: <u>August 9, 2000</u>